IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 7TH NOVEMBER 2006 / 16TH KARTHIKA 1928

Bail Appl..No. 6563 of 2006

CC.161/2006 of J.M.F.C.,KOLENCHERRY
CRIME NO.70/2001 OF AMBALAMEDU POLICE STATION

.....

: PETITIONER:

SIYAD, AGED 27, S/O.IBRAHIM,
PUTHENPURA VEEDU, KARIMUKAL KARA,
PUTHENCROZE VILLAGE.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS:

STATE OF KERALA, REPRESENTED
BY THE S.I. OF POLICE, AMBALAMEDU POLICE
STATION, (CRIME 70/01) REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6563/2006

DATED THIS THE 7TH DAY OF NOVEMBER, 2006

O R D E R

The petitioner is the tenth accused in crime No.70/2001 of Ambalamedu Police Station, for the offence punishable under Sections 143, 147, 148 and 332 IPC read with Section 149 IPC. He is before this Court, for a order under Section 438 Cr.P.C.

2. The prosecution submits that after obtaining bail, the petitioner had absconded and was not available for facing the trial. The case against him was split up and is now pending as C.C.No.161/2006 on the file of the Judicial Magistrate of First Class, Kolencherry.

3. After hearing both sides and considering the materials that are placed before me, I direct the petitioner to appear before the Judicial Magistrate of First Class, Kolencherry, on 14.11.2006 at 11.00 a.m.

4. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are

deemed necessary, so that the petitioner would be available before that Court for facing the trial.

5. The petitioner shall surrender his passport before the Court below, on the date of his appearance itself.

6. The petitioner shall not leave the State of Kerala, until the completion of the trial and final disposal of the Sessions case, or as would be ordered by the Court below

7. The learned Magistrate shall conduct an expedite trial, and dispose of the case as early as possible, in any case within two months from the date of the appearance of the petitioner before that Court, considering that the petitioner is a person, who is employed outside .

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs